

Group 3 2021 Written Testimony Received

Washington State Energy Code – EPCA Considerations

Testimony received as of 5 p.m. on 11/22/2023

Name	Group if applicable	Subject	Summary
Tim Attebery	AGC	Does not meet EPCA	We believe the energy credit system is preempted by EPCA. Interstate commerce concerns are also in conflict with the system.
Larry Andrews		Do not adopt	This is a ban on fossil fuels. I support everything Avista stated in their letter.
Jay Arnold		Modification HB 1042 – existing bldg. exemption	More closely match the language of the bill by removing added sentence to C501.1.1 and adding a new section with the statutory language.
Tyler Burbidge	RJ Development / Trestlewood Construction	Transcript of oral testimony	Consider the impacts on home buyers. Forego the 2021 code implementation and work towards the best possible 2024 code to comprehensively address the issues our state is facing.
Chris Covert-Bowlds	WA Physicians for Social Responsibility	Transcript of testimony urging adoption	Please pass these amendments to protect our residents.
Greg Davenport	Mitsubishi	Efficiency metric Modification	Change the HSPF 1 to HSPF 2, and fix typo in section 3.6

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Dennis Davis		Don't discourage gas	Taking away competition between gas and electric utilities will discourage cost savings and efficiency.
Kevin Duell	NW Natural	Modification; Impossible to comply – does not meet EPCA	Builders and energy modelers have reported the additional energy credits are too high to be achieved. Failing to provide a pathway where the buildings can install EPCA-covered gas appliances would violate EPCA.
Kristin Edmark		Emissions	Maintain the energy code as adopted last year and do not adopt a change which allows increased emissions
Kris Finch	Whitman County Assoc. of Realtors	Housing costs	We recommend the SBCC forego the 2021 code update process and move forward to the 2024 updates with a renewed focus on the cost impact on housing.
Rex Habner	IBEW Local 77	Concerns over aspects of 2021 WSEC	Off-lining of natural gas in the way currently being considered is premature and could inadvertently harm the ability to reach climate goals.
Patrick Hanks	Washington Policy Center	SBEIS failings	I ask the council to confer with counsel to investigate this matter and take necessary actions to comply with RCW 19.85.040.

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Gary Heikkinen	NW Natural	Site vs source energy	Please disapprove the proposals as submitted that would impose additional credits based on site energy and direct that additional credits be recalculated based on source energy.
Ty Jennings	Cascade Natural Gas	Small business economic impact report, various changes	Given the expressed concerns, particularly those related to non-conformance with EPCA, the Administrative Procedures Act, and the Regulatory Fairness Act, the SBCC must take action to amend the code per public feedback and complete a small business economic impact statement.
Ardel Jala	Seattle DCIS	Commercial Option 1, with modification	Seattle supports Option 1 and the removal of the “electrification readiness” section.
Gregory Johnson	Avista	Does not meet EPCA	The amended codes suffer from the same legal infirmities as the underlying draft codes in violating the federal preemption rules. The credit values are too high to be achieved. The standard reference design includes a heat pump water heater. Delay the adoption until all questions are settled.
Dan Kirschner	NW Gas Association	Significant concerns; does not meet EPCA	The process has lacked sound reasoning and analysis. A one-size-fits-all technology-reductive

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			approach risks excluding affordable and effective technologies. Urge the Council to disregard RMI suggestions until reviewed by the TAG.
Jonny Kocher	RMI	Modifications (x7) to Commercial Option 1	RMI supports Option 1 with the 7 amendments noted.
Wendy Krakauer		Maintain a strong energy code	Please adopt these amendments to protect the work done to ensure new buildings are climate friendly and cost effective
Karen McClennen		Forego the 2021 codes	I urge you to scrap the 2021 codes and move forward with adoption of the 2024 ICC codes
Todd Myers	Washington Policy Center	Increased housing cost with no environmental benefit	It is clear the costs outweigh the benefits, with a negative impact on the housing crisis with no reduction on greenhouse gas emissions.
Benjamin Nussdorf	National Propane Gas Association	EPCA Preemption	The proposals do not comply with EPCA. They still severely restrict access to gas equipment by creating financial barriers.
Erik Olon	MacDonald-Miller	Commercial Option 1 with modifications (x7)	The MacDonald-Miller Facility Solutions engineering team prefers Option 1 but recommends edits to minimize confusion.

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Angela Rozmyn	Natural and Built Environments	HB 1042, Modification	Suggest adding the definition for existing building as stated in the legislation.
Jessie Simmons	Olympia Master Builders	Forego the 2021 codes	Do not adopt the 2021 energy codes, but adopt the 2024 IECC instead.
Jon Simpson	JWS Design	Housing affordability	Energy code compliance mandates exceed any possible return on investment.
Andrea Smith	BIAW	Modification Changes do not comply with EPCA	Forego the 2021 energy code, keeping the 2018 energy code in effect until the next cycle. The code changes still favor electric heat pumps at the expense of gas appliances. Support the mods suggested by Cascade Natural Gas, including excluding the change to the above grade wall U-factor. Add credit to the air leakage and ventilation options for achieving 3 ACH.
Nancy Thelen	Thelen Construction	Opposed to 2021 building codes	There are clearly issues with the codes. Don't take away options. Forego 2021 changes and adopt 2024 changes.
Robert Torbin, Ted Williams	Omega Flex / Natural Gas Direct	In opposition to the current changes	Negative impacts and outcomes of adoption, with a focus on the electrification of residential buildings. Choices should be

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			based on best available technology in terms of energy efficiency , cost-effectiveness and lowest practical emissions.
Eric Vander Mey		Modifications (x5)	Editorial comments in both Options
Peter Vierthaler		Adopt the code	Please implement this code ASAP
Connie Voget		In favor	In favor of amendments protecting strong, climate friendly codes. Adopt Option 1 with the changes recommended by RMI.
Mark Vossler	WA Physicians for Social Responsibility	Transcript of testimony	Please ensure there is no further delay on these life saving measures.
Rachel Koller , Naghmana Sherazi, Jonny Kocher, Deepa Sivarajan, Dylan Plummer, James Moschella, Shannon Wright, Michael Laurie, Ally Stoneham, Emily Moore, Greta Tjeltveit, Thomas Kraemer, Ali Leo, Court Olson, Terrance Jorgensen, Phil Ritter, Gretchen Garth, Don Steinke, Nora Nickum, Jonathan Heller, Grace Stahre, Dan Welch, Albert		Adopt the code	Urge adoption of the proposed amendments. The amendments before Council will ensure that new buildings in Washington are as climate friendly and cost effective as possible.

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Rooks, Sue Kane, Pam Clough, Catheryn Chudy, Sara Sutton, Annie Phillips, Lauren McCloy			

Shaded cells above show updates from previous posting

FORM LETTERS	Submittals
I Oppose Expensive Energy Code Proposals that Take Away Choice	1,204
Support Amendments to the Energy Code	10
Skip 2021 Energy Code	273